



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,313	12/18/2001	Kazuhisa Fujimoto	HITA.0140	8375

7590

07/16/2004

REED SMITH HAZEL & THOMAS LLP

Suite 1400

3110 Fairview Park Drive

Falls Church, VA 22042

EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT

PAPER NUMBER

2171

DATE MAILED: 07/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/020,313

Applicant(s)

FUJIMOTO, KAZUHISA

Examiner

Etienne P LeRoux

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☒ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

### ***Specification***

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract includes phrases such as "managing means," and "input/output means." Correction is requested.

### ***Claim Objections***

Claims 1 and 5 are objected to because of the following informalities:

- 1) the file data is inputted/outputted via the block data input/output port instead of via the file data input/output port. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Art Unit: 2171

Claims 1-12 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 1 recites "transforming [ .... ] the block data into a file data format." One of ordinary skill in the art would not be able to make and use the invention because above limitation is not supported in the specification.

Claim 1 recites block data input/output port, file data input/output port. One of ordinary skill in the art would not be able to make and use the invention because above limitation is not supported in the specification.

Claims 2-12 are rejected for being dependent from a rejected base claim.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites "transforming [ ... ] the block data into a file data format." The scope of the invention is difficult to determine because file data format is not ascertainable.

Claims 2-12 are rejected for being dependent from a rejected base claim.

***Art Rejection Precluded***

Due to the above first and second paragraph rejections of claims 1-12, an art rejection is not provided with this Office Action.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 13 and 15-18 are rejected under 35 U.S.C. 102(e) as being anticipated by US Pat No 6,760,840 issued to Shimbo et al (hereafter Shimbo).

**Claim 13:**

Shimbo discloses method for managing block data and file data, comprising:

- inputting/outputting block data and file data; providing at least one storage medium;
- transforming the file data into a block data format or the block data into a file data format; and
- managing storage areas in the storage medium thereby writing into or reading from the storage areas at least one of the file data and the block data before or after the transforming step [abstract].

**Claim 15:**

Art Unit: 2171

Shimbo discloses retrieving the file data stored in the storage areas; transforming the retrieved file data into the block data format; and outputting the transformed data to said storage device [abstract]

Claim 16:

Shimbo discloses retrieving the block data stored in the storage areas; transforming the retrieved block data into the file data format; and outputting the transformed data to said storage device [abstract].

Claim 17:

Shimbo discloses copying the file data stored in the storage areas; transforming the copied file data into the block data format; and writing the transformed data to said storage area designated for storing block data [abstract]

Claim 18:

Shimbo discloses copying the block data stored in the storage areas; transforming the copied block data into the file data format; and writing the transformed data to said storage area designated for storing file data [abstract].

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shimbo in view of US Pat No 6,636,982 issued to Rowlands.

Claim 14:

Shimbo discloses the elements of claim 13 as noted above.

Shimbo fails to disclose assigning one corresponding storage area number to each of the storage areas; recording an original data format for each of the stored block data and the stored file data with respect to the corresponding storage area number in a data format table; and updating an initial or pre-transforming data format recorded in the data format table for each of the transformed block data and the transformed file data with respect to the corresponding storage area number.

Rowlands discloses a data format table [Table 19].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shimbo to include a data format table as taught by Rowlands.

The ordinarily skilled artisan would have been motivated to modify Shimbo per that above for the purpose of providing a convenient means for summarizing the standard SCSI inquiry data [Table 19].

Furthermore, it would have been obvious to one of ordinary skill in the art to modify the combination of Shimbo and Rowlands to obtain assigning one corresponding storage area number to each of the storage areas; recording an original data format for each of the stored block data and the stored file data with respect to the corresponding storage area number in a data format table; and updating an initial or pre-transforming data format recorded in the data

Art Unit: 2171

format table for each of the transformed block data and the transformed file data with respect to the corresponding storage area number.

The ordinarily skilled artisan would have been motivated to modify the combination of Shimbo and Rowlands per the above for the purpose of providing a system for memory management.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- 1) US Pat No 5,812,864 issued to McCoy et al discloses modification of data recorded in a format according to a first program may be accomplished with a second program having a format differing from the first program without the need for conversion of the entire data file.
- 2) US Pub No 2002/0059263 issued to Shima et al discloses converting files to a format specific to the operating system and common to the network.
- 3)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne LeRoux whose telephone number is (703) 305-0620. The examiner can normally be reached on Monday – Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



Application/Control Number: 10/020,313

Page 8

Art Unit: 2171

Patent related correspondence can be forwarded via the following FAX number (703)

872-9306

Etienne LeRoux

7/9/2004

A handwritten signature in cursive script, appearing to read "Etienne LeRoux", written over the printed name and date.